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SUBJECT: ITALY FISHERIES ENFORCEMENT UPDATE: NEW POLICY MEASURES

REFS: A) 11/25/09 PRESTON-LENT E-MAIL  
B) 6/23/09 PRESTON-NIEMEIER E-MAIL C) 6/12/09 PRESTON-CIMO E-MAIL  
D) 08 ROME 1387

¶1. (SBU) Summary. Italian Fisheries Under Secretary Buonfiglio stressed to DCM some significant recent changes in Italian fisheries policies, including more centralized enforcement and enhanced monitoring and data collection; a "point system" for fishing licenses; a 50-percent reduction in the bluefin tuna fleet; and a possible halt to bluefin fishing for the 2010 season. He also noted that fishing with driftnet-like ferrettara nets will continue to be permitted only in national waters. A recent EU court decision in a driftnet-related case recognizes the passage of an Italian law making it illegal to have on board non-permitted fishing gear. The Italian Government (GOI) will need to pay a 14-million-euro fine for past noncompliance, but the case will then be closed. Detailed information on 2008 and 2009 GOI fisheries enforcement efforts is provided septel. End Summary.

Fisheries U/S Buonfiglio Lays Out New GOI Priorities  
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¶2. (U) On November 25, DCM and Rome-SCI staff met with Agriculture Under Secretary Antonio Buonfiglio to discuss the U.S. Moratorium Protection Act and to seek strong Italian efforts in combating illegal, unreported, and unregulated fishing (ref A). Buonfiglio was accompanied by his Chief of Staff Anna Maria de Santis, and Agriculture Ministry Diplomatic Advisor Giorgio Starace. Buonfiglio said that Italy has a bad image in the fisheries area because of things that happened during previous administrations. Since the Berlusconi Administration came into office in 2008, they have new priorities and are making things better, he argued.

Centralized enforcement, point system for fishing licenses  
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¶3. (SBU) One of the GOI's priorities was establishing a new integrated fisheries control/enforcement authority. This was approved by the European Union (EU) Fisheries Council on November 20, and the measures agreed there will enter into force on 1/1/2010, Buonfiglio said. Under the new EU measures a single national authority will collect each member's data collection and transmit it to the EU. The new Italian enforcement/control system will include transponders on all fishing vessels 15 meters or longer, linked to computerized information which shows photos of the vessel, their licenses, financial help they have received from the EU or the GOI, etc. Smaller vessels also will have to comply with the data submission requirements, but can do so on paper, rather than

electronically. He added that a product traceability law approved by the Italian Parliament in July includes a paragraph that will permit tracing of fish products from the capture at sea to the point of purchase.

¶4. (SBU) According to Buonfiglio, Italy also supported the creation of an EU-wide point system for fishing licenses, with provisions for revocation or suspension of licenses if too many points (due to violations) are accumulated. That requirement was adopted by the EU and will enter into effect in Italy, as in the rest of the EU, on January 1, 2010. As few as five points accumulated could mean suspension of a fishing license, he said. He added that Italy will begin to require the special swordfish permits mandated by the International Commission for the Conservation of Atlantic Tunas (ICCAT) a year early, starting in January 2010 instead of January 2011. He said Italy supported inclusion of sport fishers in the EU bluefin tuna quota, but that this had not been approved at the EU level. For now the EU will simply carry out a census of sport fishers.

Bluefin tuna: fleet reduction, likely halt to 2010 season  
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¶5. (SBU) Buonfiglio noted that Italy submitted its bluefin tuna purse seine vessel buyback plan to the EU on August 15, and the EU has since approved it. The plan will reduce the number of vessels by 50%. The cost will be split 50/50 between the GOI and the EU, with the EU funds coming from the European Fisheries Fund (EFF). He said there is funding in the GOI 2010 budget for the buyback and for a halt on bluefin purse-seining, if that is decided.

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¶6. (SBU) The tuna quotas approved at the November ICCAT meeting in Recife (Brazil) are not economically feasible for Italian purse-seiners, given the costs of fuel, crew, and inspectors, Buonfiglio held. For this reason, he said, if the EU Agriculture/Fisheries Council adopted on December 14-15 the ICCAT measures agreed on in Brazil, then his 2010 bluefin tuna plan would call for a halt to fishing by all 45 Italian tuna purse-seiners until there is some longer-term plan for them which is economically feasible. They would then receive economic support from the EU and Italy (with the costs split 50/50, and the EU funds likely coming from the EFF). He said he must submit his bluefin plan to the EU Commission by 1/31/10. (According to press reporting, the EU will now conduct a study of the costs to Italian tuna-fishing communities of the newly-adopted ICCAT quotas. Buonfiglio told RAI 1 radio on December 20 that he is seeking to reorient such economic support funds away from simple payments to vessel owners and more toward increasing the local value-added of fish products.)

Driftnets: Ferrettara-use limit upheld; 14M Euro EU fine  
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¶7. (SBU) With regard to a June decree that would have permitted fishers using driftnet-like ferrettara nets to fish up to the limit from the coast permitted by their vessel license, rather than just in national waters (refs B and C), Buonfiglio confirmed that the Rome-area regional court had ruled against it. The court decided to limit Italian ferrettara use to under 12 miles from the coast, he said, and the GOI had decided not to appeal the ruling. As a result, ferrettara use is still permitted only in Italian national waters.

¶8. (SBU) Regarding a recent EU Court finding against Italy for insufficient enforcement of anti-driftnet legislation, Buonfiglio said it was an old case based on data from previous Italian governments, and that now things are improved. One of the key elements in the EU case was the absence of clear penalties for a vessel's having fishing gear on board which is illegal or for which the vessel does not have a permit. A June 2008 change in Italian law (ref D) made that possession on board illegal, and increased/introduced penalties for other violations; that change is positively reflected in the court's finding. (Italy will have to pay the EU a 14-million-euro penalty as a result of losing the case; with that payment, the case will be closed.) According to

Buonfiglio, this year the Port Captaincy stopped a significant number of vessels from leaving port, if they had the wrong equipment or otherwise did not have everything in order (see septel for detailed enforcement data). Comment: this likely was facilitated by the 2008 change in law. End comment.

ICCAT gripes

19. (SBU) Buonfiglio and Starace complained bitterly about some measures approved at the ICCAT meeting in Recife, in particular permission for Spain to catch undersize fish under an exception for a traditional fishery and for some North African countries to use driftnets until 2012. (Buonfiglio griped that Moroccans can fish with driftnets in waters 12.1 miles from the Italian coasts, while Italian fishermen are completely banned from using such nets, and asked how he was supposed to explain that to Italian fishermen.) Buonfiglio asked how Spain could have been excluded from the U.S. Moratorium Protection Act list. He alleged that many other European countries use local, ferrettara-type nets.

THORNE